

**BEFORE THE BOARD OF ELECTRICAL EXAMINER OF THE STATE OF ARKANSAS  
DEPARTMENT OF LABOR AND LICENSING  
STATE OF ARKANSAS**

**IN RE:** Donavon McCullough – **WAVIER REQUEST**

**ORDER**

This matter came before the Board Electrical Examiners (the “Board”) on Tuesday May 16, 2023. The petitioner, Donavon McCullough (“McCullough”), seeks approval for an electrical apprenticeship license. McCullough is currently ineligible to obtain an electrical apprenticeship license due to a prior felony conviction. The Board has authority to waive disqualification of a license based on a criminal conviction if the Board decides that the applicant meets requirements listed in the Ark. Code Annotated § 17-3-102(b)(2). McCullough did appear before the Board for the hearing.

**FINDING OF FACT:**

1. McCullough is requesting approval from the Board to obtain an electrical apprenticeship license. Due to his prior felony conviction, he is ineligible for licensure.
2. McCullough did appear before the Board via-zoom.
3. Staff reviewed documents provided by McCullough and recommended the Board hear from McCullough at the hearing.
4. McCullough answered questions from the Board and provided reference letters.

**CONCLUSIONS OF LAW:**

1. The Board has authority to waive disqualification of a registrant license based on a criminal conviction pursuant to Ark. Code Ann. § 17-3-102(b)(1).
2. A basis upon which a waiver may be granted includes without limitation:
  - a. The age at which the offense was committed;
  - b. The circumstances surrounding the offense;

- c. The length of time since the offense was committed;
  - d. Subsequent work history since the offense was committed;
  - e. Employment references since the offense was committed;
  - f. Character references since the offense was committed;
  - g. Relevance of the offense to the occupational license; and
  - h. Other evidence demonstrating that licensure of the applicant does not pose a threat to the health and safety of the public. Ark. Code Ann. § 17-3-102(b)(2).
3. In the present case, the Board was informed of the nature of the criminal conviction and also reviewed the reference letters provided by McCullough.

THEREFORE, the Board grants Donavon McCullough's waiver request to obtain an electrical apprenticeship license.

IT IS SO ORDERED.

ELECTRICAL EXAMINERS BOARD

  
Charlotte Bradley, Chairman

5-31-2023  
Date

Approved by:

/s/ Miles Morgan

Miles Morgan, 2017-049  
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